

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SANDRA LOCHREN, SARAH A. MACDERMOTT,
PATRICIA O'BRIEN, KELLY MENNELLA,
CHRISTINE BLAUVELT, and MIRIAM RIERA,

Plaintiffs,

- against -

COUNTY OF SUFFOLK and
SUFFOLK COUNTY POLICE DEPARTMENT,

01 Civ. 3925 (ARL)

Defendants.

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PLAINTIFFS' PROPOSED VERDICT FORMS

Disparate Treatment Claim – Plaintiff Kelly Mennella

Do you find from a preponderance of the evidence:

1. That Plaintiff Kelly Mennella's gender or pregnancy was a motivating factor in Defendants Suffolk County and Suffolk County Police Department's decision to deny her light duty?

Answer: Yes or No _____

Note: If you answered "No," you need not answer the remaining questions.

2. That Plaintiff Kelly Mennella should be awarded damages to compensate for her emotional pain or mental anguish?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

3. That Plaintiff Kelly Mennella should be awarded damages to compensate for her lost wages and benefits?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

Disparate Treatment Claim – Plaintiff Sandra Lochren

Do you find from a preponderance of the evidence:

1. That Plaintiff Sandra Lochren's gender or pregnancy was a motivating factor in Defendants Suffolk County and Suffolk County Police Department's decision to deny her light duty?

Answer: Yes or No _____

Note: If you answered "No," you need not answer the remaining questions.

2. That Plaintiff Sandra Lochren should be awarded damages to compensate for her emotional pain or mental anguish?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

3. That Plaintiff Sandra Lochren should be awarded damages to compensate for her lost wages and benefits?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

Disparate Treatment Claim – Plaintiff Sarah MacDermott

Do you find from a preponderance of the evidence:

1. That Plaintiff Sarah MacDermott's gender or pregnancy was a motivating factor in Defendants Suffolk County and Suffolk County Police Department's decision to deny her light duty?

Answer: Yes or No _____

Note: If you answered "No," you need not answer the remaining questions.

2. That Plaintiff Sarah MacDermott should be awarded damages to compensate for her emotional pain or mental anguish?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

3. That Plaintiff Sarah MacDermott should be awarded damages to compensate for her lost wages and benefits?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

Disparate Treatment Claim – Plaintiff Christine Blauvelt

Do you find from a preponderance of the evidence:

1. That Plaintiff Christine Blauvelt's gender or pregnancy was a motivating factor in Defendants Suffolk County and Suffolk County Police Department's decision to deny her light duty?

Answer: Yes or No _____

Note: If you answered "No," you need not answer the remaining questions.

2. That Plaintiff Christine Blauvelt should be awarded damages to compensate for her emotional pain or mental anguish?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

3. That Plaintiff Christine Blauvelt should be awarded damages to compensate for her lost wages and benefits?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

Disparate Treatment Claim – Plaintiff Miriam Riera

Do you find from a preponderance of the evidence:

1. That Plaintiff Miriam Riera's gender or pregnancy was a motivating factor in Defendants Suffolk County and Suffolk County Police Department's decision to deny her light duty?

Answer: Yes or No _____

Note: If you answered "No," you need not answer the remaining questions.

2. That Plaintiff Miriam Riera should be awarded damages to compensate for her emotional pain or mental anguish?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

3. That Plaintiff Miriam Riera should be awarded damages to compensate for her lost wages and benefits?

Answer: Yes or No _____

If your answer is "Yes," in what amount? \$_____

Disparate Treatment Claim – Plaintiff Patricia O’Brien

Do you find from a preponderance of the evidence:

1. That Plaintiff Patricia O’Brien’s gender or pregnancy was a motivating factor in Defendants Suffolk County and Suffolk County Police Department’s decision to deny her light duty?

Answer: Yes or No _____

Note: If you answered “No,” you need not answer the remaining questions.

2. That Plaintiff Patricia O’Brien should be awarded damages to compensate for her emotional pain or mental anguish?

Answer: Yes or No _____

If your answer is “Yes,” in what amount? \$_____

3. That Plaintiff Patricia O’Brien should be awarded damages to compensate for her lost wages and benefits?

Answer: Yes or No _____

If your answer is “Yes,” in what amount? \$_____

Disparate Impact Claim – All Plaintiffs

Please answer the following:

1. Have the plaintiffs proved that Defendants' policy denying light duty assignments to officers with off-duty medical conditions, including all pregnant women, has affected women more harshly than men?

Answer: Yes or No _____

If your answer is "No," you need not answer the remaining questions. If your answer is "Yes," proceed to the next question.

2. Have the defendants proved that its employment practice is job-related and consistent with business necessity?

Answer: Yes or No _____

If your answer is "Yes," proceed to Question No. 3. If your answer is "No," omit Question No. 3 and proceed to Question No. 4.

3. Have the plaintiffs proved that there is another reasonable employment practice which would not discriminate against women and which would meet Defendants' business needs?

Answer: Yes or No _____

If your answer is "Yes," proceed to Question No. 4. If your answer is "No," you need not answer the remaining questions.

4. State the amount of damages, if any, you award to each plaintiff.

Kelly Mennella \$ _____

Sandra Lochren \$ _____

Sarah MacDermott \$ _____

Patricia O'Brien \$_____

Christine Blauvelt \$_____

Miriam Riera \$_____

If you decide not to make an award, you will insert the word "none."

Dated: New York, New York
February 21, 2006

Respectfully submitted,
Attorneys for Plaintiff

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